

### REMARKS

Claims 1-56, 58-64, 66-72, 74-80, 82-88, 90-130, 133 and 134 are pending, with claims 1, 2, 18, 19 and 58-64 being independent. Claims 57, 65, 73, 81, 89, 131 and 132 have been canceled; and claims 1-56, 59, 60, 63, 64, 67, 68, 71, 72, 75, 76, 79, 80, 83, 84, 87, 88, 91, 92, 95, 96, 99, 100, 103, 104, 107, 108, 111, 112, 115, 116, 119, 120, 123, 124, 127 and 128 have been withdrawn from consideration, leaving independent claims 58, 61 and 62 under consideration along with their dependent claims 66, 69, 70, 74, 77, 78, 82, 85, 86, 90, 93, 94, 97, 98, 101, 102, 105, 106, 109, 110, 113, 114, 117, 118, 121, 122, 125, 126, 129, 130, 133 and 134. Claims 61, 62, 117 and 118 have been amended, and claims 133 and 134 have been added. No new matter has been introduced.

Applicant acknowledges with appreciation the Examiner's allowance of claims 58, 62, 66, 70, 74, 78, 82, 86, 90, 94, 98, 102, 106, 110, 114, 118, 122, 126 and 130, and the Examiner's indication that claims 121 and 125 are directed to allowable subject matter.

Claims 61, 85 and 93 have been rejected as being anticipated by Ozaki (U.S. Patent No. 5,028,976), and claims 113, 117 and 129 have been rejected as being unpatentable over Ozaki. Applicant requests reconsideration and withdrawal of these rejections because Ozaki does not describe or suggest including, in the channel forming region, impurity regions that each include a semiconductor material and an impurity element and that are formed in a part of the channel forming region.

Instead, Ozaki only describes a monocrystalline or substantially monocrystalline semiconductor layer that includes a nucleation portion 17 comprising a dissimilar material 106 from which an island-shaped monocrystal grain 107 grows. Since the P-channel MOS transistors 3 each have an island-shaped monocrystalline or substantially monocrystalline semiconductor layer, the monocrystal should be grown from only one region of dissimilar material 106. Accordingly, the island-shaped semiconductor should contain only one dissimilar material 106. By contrast, if plural dissimilar materials 106 were contained in an island-shaped semiconductor layer, a grain boundary would be generated between the resulting plural monocrystalline

semiconductor regions and the semiconductor layer would no longer be a monocrystalline or substantially monocrystalline semiconductor layer, as required by Ozaki.

Accordingly, for at least these reasons, the rejection should be withdrawn.

Claims 69 and 77 have been rejected as being unpatentable over Ozaki in view of Mei (U.S. Patent No. 5,548,147), and claims 97, 101, 105 and 109 have been rejected as being unpatentable over Ozaki in view of Shiue (U.S. Patent No. 5,781,445). Applicant requests reconsideration and withdrawal of these rejections because neither Mei nor Shiue remedies the failure of Ozaki to describe or suggest the subject matter of independent claim 61 from which these claims depend.

Applicant submits that all claims are in condition for allowance.

Enclosed is a \$790 check for the request for continued examination fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

7/20/05

  
\_\_\_\_\_  
John F. Hayden  
Reg. No. 37,640

Customer No. 26171  
Fish & Richardson P.C.  
1425 K Street, N.W., 11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331